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OFFICE OF PETITIONS

In re Application of
Chung J. Lee
Application No. 10/029,373
Filed: December 20, 2001
Attorney Docket No. DIEL-0006

DECISION ON PETITION

This is a decision on the "Petition to Reset Period for Response Due to Non-Receipt of Notice to File Missing Parts of Application." The petition will be treated as a petition under 37 CFR 1.181.

The petition is **moot**.

The application was filed on December 20, 2001. Though a Notice to File Missing Parts of Nonprovisional Application was first mailed on January 24, 2002, petitioner maintains that the notice was not received. Apparently, in response to the instant petition, another Notice to File Missing Parts of Nonprovisional Application was mailed on December 5, 2002, setting forth an extendable period for reply of two months from its mailing date. The notice of December 5, 2002, was apparently received by petitioner because the filing fee and surcharge as required by the notice were remitted on February 10, 2003.

As petitioner has received and responded to the Notice to File Missing Parts of Nonprovisional Application, there is no further remedy that could be provided by the instant petition under 37 CFR 1.181. The petition, therefore, moot.

Petitioner is advised that an oath or declaration pursuant to 37 CFR 1.63 was not found in the application file, although it was required by the notice. The application file is being forwarded to the Office of Initial Patent Examination for treatment of this outstanding issue.

Telephone inquiries concerning this decision may be directed to the undersigned, at (703) 305-0010.

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Office of Petitions